

LAW OFFICES OF KARL J. STOECKER

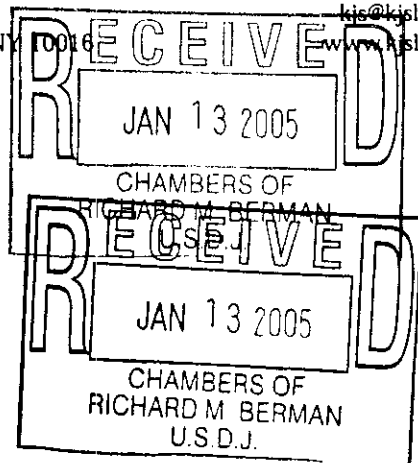
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January 11, 2005

Hon. Richard M. Berman
United States District Judge
Southern District of New York
40 Centre Street, Courtroom 706
New York, NY 10007



Re: *Vaicaitiene v. Partners In Care, Inc. and Visiting
Nurse Service of New York, Inc.*, 04 Civ. 9125 (RMB)

Dear Judge Berman:

We represent the plaintiff in the above referenced putative class and collective action. We write pursuant to Your Honor's Order dated January 10, 2005, to respectfully request restoration of this action to the Court's calendar. Plaintiff failed to attend the conference scheduled for January 10, 2005, and apparently failed to forward notice of the conference to counsel for the defendants, because the original notice faxed by the Court on December 3, 2004 was mis-filed while packing in anticipation of the relocation of our offices. We apologize for the inconvenience this has caused and respectfully request restoration of the action to the Court's calendar and rescheduling of the initial pre-trial conference. Pursuant to a stipulation entered into by the parties on December 13, 2004, defendant's time to respond to the complaint has been extended to February 4, 2005.

Respectfully submitted,


Karl J. Stoecker

cc: Kathy H. Chin, Esq.

1/14/05 @ 9:30

SO ORDERED

Date:

1/13/05


Richard M. Berman, U.S.D.J.

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